



## **Board of County Commissioners - Staff Report**

**Meeting Date:** June 20, 2023

**Presenter:** Keith Gingery

**Submitting Dept:** Attorney

**Subject:** Vacation and Termination of ROW  
Easement for Amended Ranch 3A of Bar-B-Bar Ranch

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**Statement / Purpose:** Vacation and Termination of Right of Way (ROW) Easement located on Amended Ranch 3A of the Bar-B-Bar Ranch.

**Background / Description (Pros & Cons):** Teton County was granted a Right of Way easement in 2016 to allow the U.S. Army Corps of Engineers to construct wetlands for wetland mitigation near the Solitude/Moulton Levee. All of the work has been completed and the monitoring period to ensure that the wetlands have successfully been established has ended. The easement was only a 4 year easement and expired in 2020. The property in question has recently been purchased and the new owner would simply like it clarified in the Clerk's land records that this easement to the county no longer exists. The attached document is a Vacation and Termination of the Right of Way Easement that expired back in 2020.

**Stakeholder Analysis & Involvement:** U.S. Army Corps of Engineers obtains easements to perform work around the Snake River/Gros Ventre levees through Teton County.

**Fiscal Impact:** None

**Staff Impact:** None

**Legal Review:** Gingery

**Staff Input / Recommendation:** Approve

**Attachments:** 2016 ROW Easement to Teton County

Proposed Vacation and Termination of Right of Way Easement

**Suggested Motion:** I move approve the Vacation and Termination of the Right of Way Easement regarding the wetland mitigation work performed near the Solitude/Moulton Levee, as presented.

**Exhibit A**  
**LEGAL DESCRIPTION**  
**4-Year Wetland Mitigation Easement**  
**Solitude Levee Moulton Repair Project**  
**Ranch 3A of The Ranches of the Bar-B-Bar Ranch**  
**JB Bar Ranch Holdings, LP**

A Parcel of Land located in riparian lands appurtenant to GLO Lots 3 and 4, Section 21, Township 42 North, Range 116 West of the 6<sup>th</sup> P.M., Teton County, Wyoming, being a portion of Ranch 3A as shown on that map recorded in the Office of the Clerk of Teton County as Map T-419A, said Ranch 3A being described and conveyed in Book 645 pages 355-356, records of Teton County and being more particularly described as follows:

Commencing at point "L2 213+00" on the Solitude Levee Traverse Line as recorded in Book 10 MR pages 154-155, records of Teton County, which point lies N75° 07' 00"W, 650.98 feet from Angle Point 7 in Section 21 of the GLO meander line of the Snake River and S34°38'42"W, 4409.26 feet from the One-quarter Corner common to Sections 16 and 21 of Said Township and Range, which points are monumented as described in Certified Land Corner Recordation Forms in Said Office;

thence N76° 08' 56"E, 61.96 feet to the Point of Beginning;

thence S67° 27' 48"E, 125.00 feet;

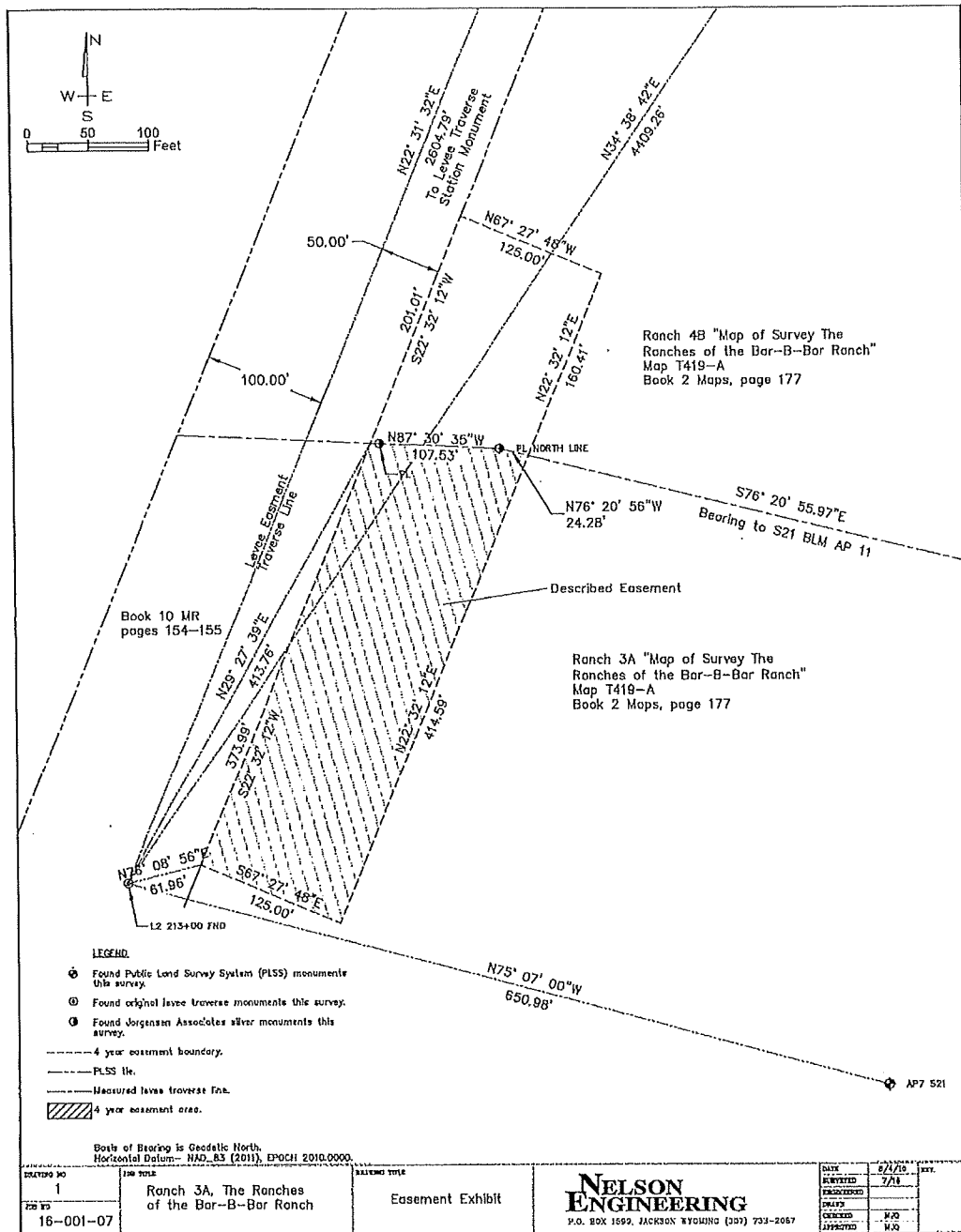
thence N22° 32' 12"E, 414.59 feet to a point on the northerly boundary line of Said Ranch 3A;

thence along said northerly boundary line, N76° 20' 56"W, 24.28 feet to an angle point in said northerly boundary line;

thence continuing along said northerly line, N87° 30' 35"W, 107.53 feet;

thence S22° 32' 12"W, 373.99 feet to the Point of Beginning.

The above described Parcel contains 1.14 acres, more or less.



## VACATION AND TERMINATION OF RIGHT OF WAY EASEMENT

KNOW ALL PERSONS BY THESE PRESENTS, that Teton County, Wyoming, a duly organized county of the State of Wyoming, hereby VACATES and RELEASES any rights, interests or easements it may have in that real property described in **Exhibit "A"** ("Property") pursuant to that **Exhibit A Right of Way Easement**, including without limitation any rights to access or construct wetlands on the Property, recorded in the Office of the Teton County Clerk on September 7, 2016 at Bk. 929, p. 369 ("Easement Document"), it being the intent of Teton County, Wyoming to vacate, discharge and render null and void the easements and rights granted to Teton County on the Property pursuant to the Easement Document, said vacation to be effective as of the date this instrument is recorded in the public records of the Teton County Clerk's Office, Teton County, Wyoming (the "Effective Date").

IN WITNESS WHEREOF, Teton County, Wyoming has executed this instrument to be effective as of the Effective Date.

*[Signatures appear on the following page]*

**Teton County, Wyoming, a duly organized county of the State of Wyoming**

Luther Propst, Chairman  
Teton County Board of County Commissioners

Attest:

Maureen E. Murphy, Teton County Clerk

STATE OF WYOMING )  
 ) ss  
COUNTY OF TETON )

On this \_\_\_\_\_ day of \_\_\_\_\_, 2023, before me, the undersigned Notary Public, personally appeared Luther Propst, as Chairman of the Teton County Board of County Commissioners, and Maureen E. Murphy, as Teton County Clerk, of Teton County, Wyoming, a duly organized county of the State of Wyoming, who are each personally known to me or have each established their identity and authority to me by reasonable proof.

Witness my hand and official seal.

Notary Public

**Exhibit A**  
**Property—PIDN 22-42-16-21-1-00-008**

DESCRIPTION OF AMENDED RANCH 3A  
OF  
THE BAR-B-BAR RANCH  
TO WIT:

A PARCEL OF LAND being located in parts of Government Lots 3 and 4 of Section 21, Township 42 North, Range 116 West of the Sixth Principal Meridian, Teton County, Wyoming, and their appurtenant riparian lands;

said parcel, a part of those lands conveyed by that Warranty Deed of record in Book 599 of Photo, pages 1041-1047 in the Office of the Clerk of Teton County, Wyoming; and a part of those lands conveyed by that Warranty Deed of record in said Office in Book 645 of Photo, pages 355-366; hereinafter referred to as Amended Ranch 3A, is more particularly described from surveys conducted during 2004 through 2007 as follows:

COMMENCING AT THE Section Corner common to Sections 15, 16, 21 and 22 of said Township and Range, which is monumented by a 2-½ inch diameter iron post with a 3 inch diameter brass cap inscribed "PAUL N SCHERBEL RLS 164 BIG PINEY WYOMING 1980", found this survey;

thence S51°01'49"W, 5,432.49 feet to Angle Point 11 Identified on Bureau of Land Management Survey of Omitted Lands for said Township and Range, on the Adjusted Meander Line of the Snake River resurveyed by the BLM in 1971, said point being the POINT OF BEGINNING; which is monumented by a 2-½ inch diameter iron post with 3 inch diameter brass cap inscribed "US DEPT OF THE INTERIOR CADASTRAL SURVEY BUR OF LAND MANAGEMENT" with other appropriate markings, found this survey;

thence S80°46'05"E, 98.87 feet;

thence S80°51'03"E, 181.28 feet;

thence S00°34'54"E, 605.26 feet;

thence S45°38'38"W, 212.99 feet;

thence N82°17'52"W, 905.55 feet to Angle Point 4 on said Adjusted Meander Line of the Snake River; which is monumented by a 2-½ inch diameter iron post with a 3 inch diameter brass cap inscribed "US DEPT THE INTERIOR CADASTRAL SURVEY BUR OF LAND MANAGEMENT" with other appropriate markings, found this survey;

thence S87°54'10"W, 410.00 feet to an angle point, to be referred to hereinafter as Point F;

thence proceeding on a line bearing N58°52'57"W, 50.00 feet to a point to be monumented as a "witness corner" on said line;

thence continuing on said line N58°52'57"W, a distance 801 feet, more or less, at the time of December 2004 survey, to the unmonumented thread of the Snake River;

thence proceeding northerly along said thread a distance of 505 feet, more or less, at the time of said December 2004 survey;

thence departing said thread and proceeding on a line bearing S87°31'56"E, a distance of 970 feet, more or less, at the time of said December 2004 survey, to a point to be monumented as a "witness corner" on said line;

thence continuing on said line S87°31'56" E, 100.00 feet;

thence S76°22'17" E, 656.18 feet to the POINT OF BEGINNING;

each of the points, angle points, or "witness corners" called for above, but which are not previously described herein are monumented by a 5/8 inch diameter steel reinforcement rod with 2 inch diameter aluminum cap inscribed "PLS 8469";

said left bank is described from said December 2004 survey as follows:

COMMENCING at Point F described above;

thence N58°52'57" W, 820.13 feet, more or less, on the south boundary of said Amended Ranch 3A parcel described above, to said left bank of the Snake River, being the POINT OF BEGINNING; said Point of Beginning being located S58°52'57"E 31 feet, more or less, from the intersection of said south boundary of said Amended Ranch 3A parcel with the thread of the Snake River;

thence N41°48'10"E, 141.34 feet, more or less, to an unmonumented point;

thence N20°05'04"E, 217.57 feet, more or less, to an unmonumented point;

thence N11°49'28"E, 161.75 feet, more or less, to the unmonumented north boundary of said Amended Ranch 3A parcel, being the END POINT;

said end point lying S87°31'56"E, 30 feet, more or less, from the intersection of said north boundary of the Amended Ranch 3A parcel with the thread of the Snake River;

all riparian attachments to said described parcel are west of the Adjusted Meander Line of the Snake River identified on Bureau of Land Management Survey of Omitted Lands for said Township and Range, resurveyed by the BLM in 1971, and east of the thread of the Snake River as defined by a line surveyed in December of 2004;

the BASIS OF BEARING for this description is a geodetic bearing of  $500^{\circ}47'37''\text{E}$  on the section line between the section corner common to Sections 15, 16, 21, and 22 and the north one-sixteenth corner common to Sections 21 and 22 of said Township and Range; is derived from GPS observations, and references NAD 83.